IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WA.No. 2061 of 2007()

AGAINST THE JUDGEMENT IN OP.12927/2003 Dated 14/03/2007
.....

APPELLANT: PETITIONER:

K.M. AFSA, D/O. ABDULLA,
RESIDING AT THAYATHUPARAPPA, KASARAGOD TALUK.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS: RESPONDENTS:
---

1. STATE OF KERALA,
REP. BY ITS CHIEF SECRETARY TO GOVERNMENT OF KERALA, TRIVANDRUM.

2. THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT, TRIVANDRUM.

3. DISTRICT COLLECTOR, KASARAGOD.

4. TAHSILDAR (R.R), KASARAGOD.

5. VILLAGE OFFICER,
DELAMPADY VILLAGE, P.O. PARAPPA, KASARAGOD.

BY GOVERNMENT PLEADER BENNY GERVASIS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

W.A. 2061/2007

Dated this the 20th day of August, 2007

JUDGMENT

Radhakrishnan, J

We find no illegality in Ext.P4 order dated 31.12.2002 wherein the Government has declared the transfer of the property effected by the petitioner's husband, as null and void. Revenue recovery proceedings were initiated for the realisation of Rs.2,25,591/- towards arrear of forest dues as per the request of Divisional Forest Officer. But the defaulter had transferred the property in his possession in favour of his wife. Contention of the appellant herein was that the property was given to her by her deceased husband and at that time there was no notice served on him. In the counter affidavit it is stated that notice was served on him only on 17.7.1999 and the transaction was made on 9.7.1999.

In such circumstances, we find no illegality in the view expressed by the learned Single Judge. Appeal lacks merit and the same is dismissed.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs